

MADERA IRRIGATION DISTRICT BOARD OF DIRECTORS SPECIAL MEETING

AGENDA

MISSION STATEMENT

**To obtain and manage affordable surface and ground water supplies in a manner which
will ensure the long-term viability of irrigated agriculture in the District.**

Special Meeting Date:
Friday, February 18, 2011
2:00 p.m.

Madera Irrigation District
12152 Road 28 ½
Madera, CA 93637

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Administration Office at 559-673-3514, ext. 215. Notification in advance of the meeting will enable MID to make reasonable arrangements to ensure accessibility to this meeting.

ORDER OF BUSINESS

2:00 p.m.

CALL TO ORDER

1. PUBLIC COMMENT

At this time, members of the public may address the Board on any non-agendized item. The public is encouraged to work through staff members to place items on the agenda for Board consideration. No action can be taken on matters not listed on the agenda. Comments are limited to five minutes per person / 15 minutes per subject.

2. NEW BUSINESS

**2a. Presentation, Discussion / Possible Action on Fresno River Run of the River
Riparian Water Delivery Operations Protocol**

3. ADJOURNMENT

Fresno River Riparian
Proposed Operations Protocol
Workshop
February 18, 2011

Topical Outline

- **Purpose of Protocol**
 - Set forth process by which water entitlements are determined and satisfied
- **This process is intended to be open to all interested parties re**
 - Data collection
 - Allocation of River flows
 - Operation of the River to satisfy entitlements
 - Annual Report summarizing each year's operations
- **While the Protocol will be used this year and is very similar to that used in 2010, we are seeking input from all parties to refine and improve the Protocol**
 - The **Protocol** is intended to be a **working document**
 - Year-end meeting to discuss refinements to the Protocol
 1. First meeting expected about early June
 2. Second meeting probably late July or early August

PROPOSED FRESNO RIVER OPERATIONS PROTOCOL

February 18, 2011

1. Purpose of Protocol

The Fresno River Operations Protocol has been developed jointly by the United States Bureau of Reclamation (USBR) and Madera Irrigation District (MID) and will be refined in cooperation with the Fresno River riparians. The primary purpose of the Protocol is to ensure that water entitlements to the river are satisfied by informing the Fresno River water right holders of the procedures used to operate the Fresno River under run-of-the-river flow conditions and to notify them of the available water supplies and their respective entitlements to such supplies. The Protocol is also designed to be transparent in regard to data collection and allocation and operation of the river under various water rights priorities. Overall the intent of the Protocol is to keep critical aspects of river operations as an open process for interested parties to review. The Protocol will include the results of the Fresno River Allocation Model (FRAM) runs, information related to the availability of Fresno River flow, accounting for various water rights, riparian and senior right holders' diversion capacities and measurements, ability to divert water from the river, eligibility of lands to receive riparian water and riparian lands cropping patterns and acreage.

2. Priority of Water Right Holders on Fresno River

Waters of the Fresno River are a mixture of multiple sources. Besides its natural runoff, there are other imported sources from neighboring watersheds. Above Hensley Lake, up to 50 cfs of water may be diverted by MID from North Fork Willow Creek, which is tributary to the San Joaquin River, into the Fresno River via the Soquel Ditch. Another up to 50 cfs of water may be diverted by MID from Big Creek, which is tributary to the Merced River, above Hensley Lake as well. And San Joaquin River water from Friant Dam under MID's Friant CVP Contract may enter into the river via the Madera Canal below Hensley Lake. In addition to these comingled water sources, there are also various water rights to the natural flow of the Fresno River. The following are the Fresno River water rights beginning with the highest priority: 1. MID's 1916 Judgment decreed right, 2. riparian water rights, 3. senior appropriative rights, and 4. USBR Hidden Dam storage water right under Permit 16584.

2.1 Madera Irrigation District 1916 Judgment Decreed Right

MID's pre-1914 decreed rights to North Fork Willow Creek (Soquel), Big Creek, and the Fresno River natural flow were confirmed under the 1916 Madera Superior Court Judgment. These water rights are the most senior on the Fresno River and gives MID the right to divert up to 200 cfs of the Fresno River water at Franchi Dam provided that both of MID's entitlements from North Fork Willow Creek (Soquel) and Big Creek are being imported into the Fresno River. If MID is not diverting and importing into the Fresno River the full entitled amounts from North Fork Willow Creek (Soquel) and Big Creek, the decreed 200 cfs is reduced by the difference between the total amount of water that MID could have diverted from those sources under the Decree and the lesser amount(s) it actually diverted into the Fresno River from one or both sources. Also, as allowed under Water Code section 1706, MID may store a portion of its pre-1914 water at Hensley Lake for subsequent use.

2.2 Riparian Water Rights

There are numerous riparian water right holders in the Fresno River, which are second in priority to the MID 1916 Judgment rights. All but three riparian water right holders (i.e., Madera Triangle-T, Harmon Brothers and Menefee) are MID customers as well, who use District water. A riparian water right is a right to use a correlative share of the natural flow of a river or creek for beneficial use on riparian land. Beneficial use in the context of irrigated agriculture on the Fresno River is the use of natural flow for irrigation. Therefore, the quantification of riparian entitlements on the river is based on the irrigation demand of cultivated riparian land and its ability to divert this entitlement when natural flow is available (based on the diversion capacity). Riparian water may not be used for storage or groundwater recharge. Nor can riparian rights be sold or transferred and can only be used on the riparian land with which it is associated.

The definition of riparian land is land that touches a lake, river, stream, or creek. However, if riparian land is subdivided into various parts so that some of the land parcels do not touch the water, those land parcels will then lose their riparian rights unless legal steps are taken to preserve them when the land subdivision takes place. Therefore, it is a fundamental requirement that the riparian land eligibility be supported by a chain of titles to show its continuity in ownership.

2.3 Senior Appropriative Right holders

Third in priority in the Fresno River are senior appropriative right holders who have diversion right licenses issued by the State Water Board with stated periods, rates and quantities and terms and conditions of diversion. Costa View, Madera Triangle-T, and Menefee all have appropriate right holders in the Fresno River.

2.4 USBR Hidden Dam Permit (MID Central Valley Project (CVP) Water)

The SWRCB Permit 16584 authorizes the USBR to store up to 74,000 AF of natural Fresno River water annually at Hensley Lake for irrigation, domestic, and recreational uses from December 1 of each year to April 30 of the following year. Additional months in May and November may be included in the storage season provided that (1) USBR releases an equal quantity equivalent exchange water from the Madera Canal to satisfy prior rights, and (2) a minimum pool of 5,000 AF is maintained. This water is the fourth priority in line in the Fresno River. In other words, USBR cannot store any natural Fresno River water in Hensley Lake until the three senior priority water rights have been satisfied (i.e., MID's 1916 Judgment decreed right, riparian rights, and senior appropriate rights). While the U.S. Army Corps of Engineers operates and maintains Hidden (a unit of the CVP), the USBR has management control of conservation storage at Hidden. Under an operating agreement entered into by the USBR and MID, the USBR has turned over this management of conservation storage at Hidden to MID.

3. Fresno River Operations – Run-of-The-River

3.1 Pre-Hidden Dam Conditions

Under pre-dam conditions, the Fresno River would flow naturally through the river channel from the foothills and mountains with only Franchi Dam impeding the flow. Based on its 1916 Judgment, MID and its predecessor, the Madera Canal & Irrigation Company, diverted up to 200 cfs, whenever such flows were available and the entire flow of the river when less than 200 cfs. Remaining flows downstream from Franchi Dam were available to right holders who would then divert directly from the river whenever the river was flowing naturally. Due to the low elevation of the Fresno River drainage watershed, the majority of the river flows are runoff from rain storm events, which can cause flows to fluctuate up and down significantly resulting in intermittent riparian supplies.

The goal of the run-of-the-river operations set forth in this Protocol is to replicate the natural flow conditions of the river as close as reasonably possible by scheduling dam releases to satisfy riparian demands along the river. At the same time, best management practices would need to be implemented with respect to river operations and management so that beneficial use of the river water may be maximized.

3.2 Alternative Run-of-The-River Operations

Since the construction of Hidden Dam, the Fresno River flow may be regulated to optimize its use for irrigation and flood control as well as satisfying the various rights in the river. In addressing the rights of the riparian and senior right holders, several alternatives have been identified for run-of-the-river operations on releases from the Dam. The re-regulation period for the three alternatives considered are as follows:

- (1) One-day lag riparian flow re-regulation.
- (2) 15-day lag riparian flow re-regulation.
- (3) 30-day lag riparian flow re-regulation.

The most direct flow release schedule from the dam is to allow the riparian portion of the natural inflow to the Lake to pass through the dam on a daily basis. With this scenario, the riparian water is re-regulated with only a one-day lag. That is, whatever riparian entitlement water is entering the lake, it will be held for only one day and then released from the dam the following day for riparian use downstream. This daily operation scenario is difficult to accomplish due to the following factors: (1) impracticality of changing dam releases or pass through on a daily basis; (2) inability to make lower flow releases below 80 cfs due to a malfunctioning of the low-flow valve at the Dam; (3) lack of irrigation demand data in daily time steps for the model runs; and (4) difficulty for growers to schedule their irrigation based on unpredictable and erratic flow amounts and timing.

The second alternative is to schedule a 15-day time lag in riparian releases where the riparian water is accumulated and stored for 15 days in Hensley Lake before it is released from the dam with sufficient flow rates to satisfy all downstream riparian entitlement on the river. This alternative, would provide more time to gather all the necessary input data as well as better

irrigation demand estimates to run the Fresno River model, but would still not provide adequate notice of the amount and timing of release to right holders.

The third alternative, a 30-day holding period or lag, is a more practicable and reasonable time period to optimize beneficial use of the available supplies. The 30 day lag is designed to allow sufficient lead time to collect, analyze, and compile all the hydrological and irrigation demand data that is needed for the model. It will also provide better control and management of the fluctuating Fresno River natural flows for scheduling of deliveries. In so doing, the co-equal goals of replicating the natural flow conditions of the river and maximizing beneficial use may be better realized. Under water regulations established by the SWRCB, riparian water cannot be re-regulated for more than 30 days.

3.3 Operating Concepts with 30-day Re-regulation

Based on the above discussions and goals to enhance as much as possible the riparian supply and use, a 30-day re-regulation holding period would appear to be most reasonable and practical and provide the highest beneficial use potential. Therefore, Hidden Dam would be used to re-regulate and stabilize the various water rights in the Fresno River including riparian within a 30-day window. The following is a basic overview on run-of-the-river operations.

3.3.1 Model

The computer model (i.e., FRAM) determines and allocates the riparian water entitlements in each of the Fresno River reaches based on the availability of the Fresno River natural flow supply, water right priorities, riparian irrigation demands, and diversion capacities. There is no riparian entitlement if there is not an irrigation demand on riparian lands. The model also determines among others the amount of water available to MID to divert at Franchi Dam based on MID's senior pre-1914 rights in the river (1916 Judgment/Decision). The locations of the various reaches on the Fresno River are shown in a schematic map in Figure A.

3.3.2 Input Data

Prior to performing the model runs, basic information and data must be gathered for each riparian user including riparian acreage, cropping patterns, diversion capacities etc. This is accomplished through data submitted to MID at the end of each year. Basic hydrologic data such as precipitation and river flows are updated on a daily, near real-time, basis and are input to the model.

3.3.3 Scheduling

As noted above, the actual deliveries to riparian users are lagged by a month (i.e., 30 days) behind the entitlement period. In other words, riparian entitlements developed from the natural river flow data in March are normally not released or delivered from the dam to the riparian users until the following month in April. The approximate duration of riparian deliveries in a month is dictated by the number of days that the riparians are entitled to the natural flow of the Fresno River based on the results of the river model. The riparian entitlement period could last from a few days to few weeks depending on how the natural river is flowing into Hensley Lake. Potentially, riparian entitlements could go on for a few weeks and cease for some time and then commence again for another entitlement period. The rate of diversion for each riparian user is based on the users ability to divert water and the capacity of each riparian diversion facility

either by gravity or pumping. The riparian allocations for the various intermittent entitlement periods may be accumulated over the 30-day period and released together sequentially in the following month so that the releases are not broken up.

3.3.4 Notification and Monitoring

Once the schedule of the riparian entitlement is developed, notices will be sent out by MID to all active riparian users to inform them about the timing of riparian deliveries (i.e., start and end times of riparian diversion) and the amounts of riparian water entitled in the previous month. MID or each riparian user will monitor the riparian deliveries to the users to keep track of the use of their entitlements.

4. Model Description

4.1 Development

The Fresno River Allocation Model (i.e., FRAM) is a computer spreadsheet model developed by the USBR in cooperation with State Water Resources Control Board (SWRCB), MID, and various Downstream Riparian representatives (i.e., Costa View, Triangle-T, Menefee Ranch, and Harmon Brothers Ranch). Its current version has undergone numerous refinements over a period of more than two years (2008 - 2009). The main issues discussed and resolved on the model were as follow: (1) correct interpretation of the 1916 Judgment/Decision, which MID's decree water in the Fresno River; (2) quality of Fresno River inflow data to Hidden Dam; (3) development of methodology to determine crop water requirement and effective precipitation; (4) determination of MID's MC&I system conveyance and on-farm losses (i.e., project irrigation efficiency); (5) Channel losses for the riparian parties downstream of Road 9; (6) identification of riparian users; and (7) riparian crop acreage and patterns and diversion capacities for all reaches of the Fresno River. The finalized version of FRAM has been approved by all parties involved including USBR, SWRCB, MID, and Downstream Riparians.

4.2 Model Run Assumptions

The model assumptions for the order of allocation priority of the Fresno River natural flows are as follows:

- 1.1 Losses in Reach 1.
- 1.2 Riparian right in Reach 1.
- 2.1 Losses in Reach 2.
- 2.2 Riparian right in Reach 2 (Adobe Ranch).
- 3.1 Losses in Reach 3.
- 3.2 Riparian right in Reach 3 (Island Tract).
- 4.1 MID decreed right (1916 Judgment) at Franchi Dam.
- 5.1 Losses in Reach 5.
- 5.2 Riparian right in Reach 5 (Road 16 Riparians: Costa View, Cosyns, and Iest).

5.3 Appropriative right in Reach 5 (Costa View)

6.1 Losses in Reach 6.

6.2 Riparian right in Reach 6.

7.1 Losses in Reach 7.

7.2 Riparian and appropriative right in Reach 7 (Road 9 Riparians: Triangle T, Harman, and Menefee).

The above priority list assumes that Fresno River channel losses in each reach are satisfied first before the riparian water is distributed to the users in that reach. The flow accounting logic then starts over again for the next downstream reach. If the natural flow is insufficient to satisfy the channel losses in a particular reach, no flow will be released for that reach. Channel losses and riparian demands in Reach 1 are satisfied before water is supplied to the next reach, Reach 2. Appropriate rights are only considered after all riparian rights, decreed rights, and channel losses are satisfied.

The amount of riparian water that the model allocates to each of the reaches is based on the total net irrigation demand of all the riparian users within the reach. The daily flow rate that the model allocates to each reach is equal to the total riparian diversion capacities in that reach. With sufficient supply the model will continue to allocate the same flow rate to each reach until the full right (i.e., monthly irrigation demand) is satisfied for the reach.

5. Data Collection and Analysis

The following are the necessary input components required for FRAM: (1) surface water supply; (2) crop water and irrigation demand; (3) Diversion capacity and limitations (4) river channel losses. Many of the data listed below are requested from the riparians after each riparian season so that MID may receive such information for the next following riparian season before the end of the current calendar year.

5.1 Water Supply

The most basic water supply data required for the model is the daily inflow into Hidden Dam. These values are calculated by the US Army Corps of Engineers and published daily at their website at www.spk-wc.usace.army.mil/generic/corps_rep_mon.html and www.spk-wc.usace.army.mil/plots/plot_menu_ca.html. MID also has a flow gage station located just upstream of Hensley Dam. It is operated and maintained by Sierra Hydrographics (flow gaging contractor) through a contract with MID. Its daily flow data is published at the same website as the US Army Corps of Engineers. The two data sets may be compared for quality control and verification. The inflow into Hidden Dam consists of natural Fresno River and two other potential water supplies, which are Big Creek and N. Fork Willow Creek imports.

The Big Creek diversion into the Fresno River is measured at the United States Geological Service (USGS) gage site, USGS#11267350, while the N. Fork Willow Creek (NFW) gage is operated and maintained by Sierra Hydrographics. The flow data for both of these sites may be

found on the California Data Exchange Center website. Another required flow data is the Madera Canal when it is imported into the Fresno River downstream of Hidden Dam. MID keeps a daily record of Madera Canal flows in its CVP Reports of Water Deliveries. Most of the flow data described above are readily available on the internet and may be prepared for data input by retrieving the information from the websites.

5.2 Irrigation Demand

While the water supply data may be easily accessed from the internet and compiled on a daily basis, the data required to determine the irrigation demand such as riparian crop acreage and cropping patterns (based on chain of title) will need to be provided by the riparian growers to MID on an annual basis prior to the riparian season. The crop irrigation demand analysis is computed on a monthly basis. The analysis is based on the methodology and crop evapotranspiration (ETc) model developed by the Cal Poly International Training and Research Center (ITRC, 2003).

Another component of the irrigation demand is the analysis of effective precipitation, which is calculated on a monthly basis as well. The effective precipitation is that portion of the total precipitation that the crops can receive and use. The actual accumulated monthly rainfall at the Madera California Irrigation Management Information System station (CIMIS #145) is used for the rainfall data. This monthly rainfall data may be obtained from the internet at the CIMIS website. It is important to note that effective rainfall is utilized to satisfy part of the crop water requirement if not all. In so doing, when the crop water demand in the field is low, there may be sufficient effective precipitation to satisfy all the crop water use, thus eliminating the need for irrigation.

The irrigation demand in summary is crop water demand minus effective precipitation divided by the efficiency of the irrigation system. The system efficiency factor is included in the estimation of irrigation demand because extra water would need to be provided to the farm headgates/turnouts to make up for losses in conveyance in the canals and on-farm losses as well due to deep percolation and surface runoff. A 70 percent system efficiency was determined by the State Water Resources Control Board as reasonable for diversions along the Fresno River.

5.3 Diversion Ability and Capacity

Another input parameter required for the demand analysis is the ability to receive and the capacity (rate) of the diversion structure, which must be provided by the riparian user. Once the diversion ability and capacity is known for each user, no further reporting of diversion capacity is needed for subsequent years unless there is a change in the diversion ability or capacity.

5.4 River Channel Losses

Channel losses along the various reaches of the Fresno River are other input parameters required for the model. These reported losses were measured, evaluated and determined in a study by Kienlen (1980) and agreed upon by all parties involved during the evaluation of the river model. The estimated channel losses for the different reaches are:

| | Reach 1 (cfs) | Reach 2 (cfs) | Reach 3 (cfs) | Reach 4 (cfs) | Reach 5 (cfs) | Reach 6 (cfs) | Reach 7 (cfs) |
|----------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Channel Losses | 11 | 4 | 11 | 0 | 25 | 4 | 31 |

6.0 Allocation of Fresno River Flows

During the riparian season, the results of the FRAM, are updated on a monthly basis. Model runs are performed by MID at the beginning of each month based on the raw hydrologic input data collected and the net irrigation demand analysis for the previous month. The model's output provides results of monthly riparian entitlements for each riparian user in each of the river reaches.

6.1 Notification Process

The monthly riparian entitlements from the model runs in acre-feet are sent to each of the riparians by MID staff via email, fax, or/and letter by the 10th of each month to inform them what their riparian allocations were for the previous month, when to start riparian diversion, and how many days they would be able to divert to satisfy their rights. The riparian users can then either start or continue to divert their riparian water after receiving the information from MID until their rights are satisfied. There may be a time lag depending on where the riparian diversion is located for getting the riparian water to the users if it is at the start of the riparian flow season where initial releases from the dam may infiltrate before for wetting the dry river bed channel. This notification process will continue every month until the riparian season is over, MID will then notify all riparian users within one week in advance as to when the riparian season will end.

6.2 Fresno River Riparian Delivery Schedule

Below is a detail summary of riparian notification and delivery scheduling procedures with the sequence of events for the proposed run-of-the-river operation.

1. Prior to the riparian season, MID mails out letters to all riparian users by the end of October requesting submittals of cropping patterns and acreage maps for the following year and information in regard to diversion capacities if there is a change from the previous year. The deadline for the submittal by riparians will be December 30th.
2. Another reminder note will be sent out to all the riparians with regard to the data request in early December. If the data requests were still not received before the December deadline, MID assumes that the riparian users who did not submit any data will not be diverting riparian flow for the coming year. Riparians do not lose their riparian rights for being inactive.
3. MID is responsible for monitoring the Fresno River inflows into Hensley Lake on a daily basis. As soon as the Fresno River starts flowing again at the beginning of the riparian season, MID evaluate and analyze the flows to determine whether riparian water releases are required.
4. Once the Fresno River is running sufficiently high and there are riparian irrigation demands, FRAM will be utilized to evaluate riparian entitlements in the various reaches of the Fresno

River. At this time MID will inform all active riparians who have submitted the data requests that riparian water will soon be made available in the following month. Then at the beginning of the following month before the 10th, MID will inform the riparian via letters, faxes, emails, or/and phone calls that riparian water is on its way. The amount of riparian entitlements for the previous month, start time, and the duration of riparian diversion allowed will be indicated in the communication.

5. As long as the Fresno River is running, MID will continue to evaluate and determine the extent of riparian entitlements along the river on a monthly basis with a 30-day lag.
6. MID will release a reasonable amount of flow from the dam so that the riparians can divert their full monthly entitlements within the limits of the riparian period as provided in the communication notices.
7. There must be a measurement device with sufficient accuracy in place at the point of riparian diversion so that the entitlements may be measured and monitored by MID staff or riparian users themselves. MID is not responsible for the operation and maintenance of measuring devices nor the diversion structures/facilities themselves unless they are otherwise part of the district delivery facilities.
8. If a riparian user has diverted his/her entire monthly riparian entitlement before the specified diversion period indicated in the communication, riparian diversion needs to cease at this time. If there is an exceedance of riparian entitlement by a riparian user(s), adjustments will be made on future allocations to ensure as much as possible that all riparians receive their fair share of entitlement flows.
9. As soon as the riparian season is over, MID will contact all riparian users that no more riparian water will be allocated in future months for the year. This is then the official end of the riparian season. An annual report of riparian entitlements and actual deliveries will be prepared and sent to each of the riparian users..

7.0 Measurement of Fresno River Diversions

7.1 Need for Measurement

In order to ascertain the quantity of riparian water received by each riparian user, flows through the diversion structure need to be measured. Riparian diversions are to be monitored to assure that all riparian entitlements along the river are equitably distributed to satisfy their water rights. Riparian flows must also be accumulated volumetrically as in acre-feet. The Division of Water Rights is requiring all diverters in natural waterways to measure and report monthly diversions in their filings of the Statements of Diversion and Use. The Statements need to be filed with the Division annually by July 1. Consequently, it is essential that all riparian diversions be measured/metered. It is also important to understand that while riparian rights are correlative MID is not responsible for controlling the amount of riparian flows to each riparian is taking or operating the riparian diversion structures. MID needs to monitor only the riparian flows releases from Hidden Dan so that there would be sufficient amount of water released to satisfy the overall entitlement amount.

7.2 Alternative Measurement Options

Riparian flows may be measured/metered and monitored several ways. MID assumes that all riparian users already have proper measurement devices in place to accurately measure the riparian diversions volumetrically. The three options described below are under consideration:

1. MID staff measure/meter and monitor all riparian diversions. MID will assess a nominal fee for performing such service for those riparian users electing to have the District measure their riparian diversions.
2. Riparian users meter and monitor their own flows and provide such information to MID within 24 hours.
3. Riparian users contract with private consultant to meter and monitor their flows and report findings to MID within 72 hours.

8. Preparation of Annual Report on Fresno River Operations and Allocations

By December 30th of each year, MID will provide each riparian user an annual report of how much riparian water has been delivered to the user and the amount of his/her riparian entitlement for the year. A transparent accounting of the various water right flows in the river and Hensley Lake storage including USBR Permit 16584 (CVP Project), MID's pre-1914 rights, riparian rights, and appropriate rights, will also be made available for review.

SCHEMATIC OF FRESNO RIVER

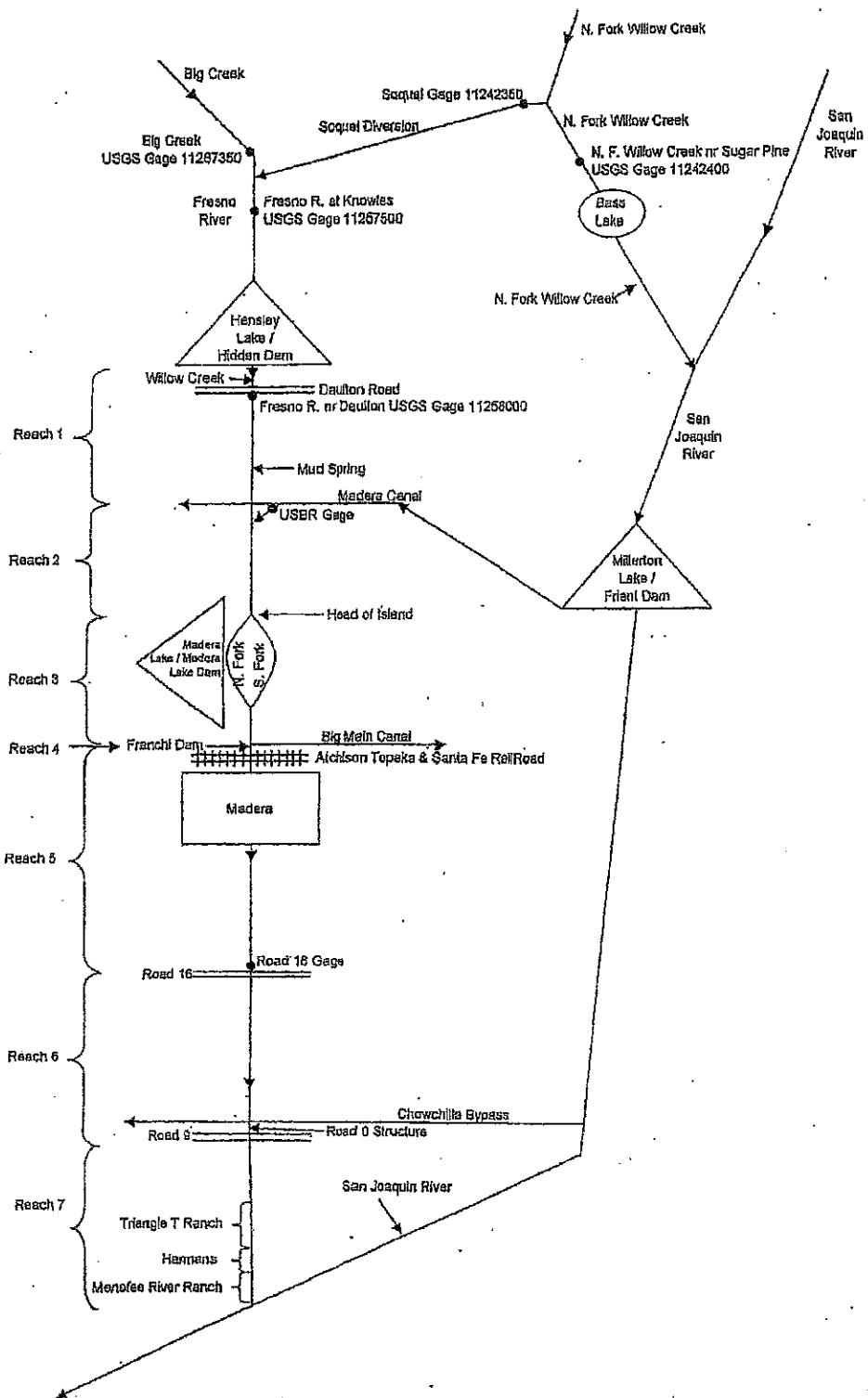
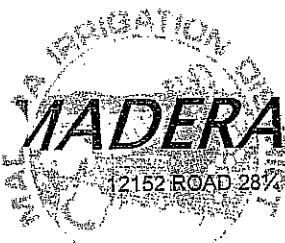


Figure A Line diagram showing the essential elements of the Fresno River water distribution system.



MADERA IRRIGATION DISTRICT

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LEGAL COUNSEL
MICHAEL A. CAMPOS

June 29, 2010

Subject: Documentation to Support Fresno River Riparian Claims for 2011 Operations

Dear Fresno River Riparian Water User:

Beginning in January 2010 the District has, through meetings, workshops, correspondence and its web site, attempted to keep you apprised of State Water Resources Control Board meetings, actions and newly required reporting requirements, questions and issues regarding Fresno River riparian water rights. The purpose of this letter is to give you as much advance notice as possible of documentation of riparian rights that will be required in order to receive Fresno River riparian water deliveries during 2011. Please make special note of the fact that being able to provide documentation of your riparian diversion capacity, may require that you have either a pump test or gravity diversion flow measurements conducted during the 2010 water delivery season.

In order to facilitate riparian water deliveries during 2011, the following written documentation must be submitted to the District no later than 5:00 p.m. on Monday, January 3, 2011:

1. Chain of title from the original land patents documenting that riparian rights have not been severed from the land.
2. A copy of independent pump test(s) or gravity diversion flow measurements documenting the particular Fresno River riparian water diversion capacity.
3. Documentation demonstrating the ability to actually divert and use riparian water supplies on eligible land and certification that such supplies will be used only on eligible lands authorized to receive Fresno River riparian water.
4. A copy of your 2009 Statement of Diversion and Use, that is required to be filed with the State Water Resources Control Board by June 30, 2010, and
5. A 2011 crop map with acreages of all riparian lands to be irrigated with Fresno River riparian water.

The District appreciates that Items 1, 2, 3 and 4 are new requirements to ensure delivery of riparian entitlements, but necessary to satisfy regulatory requirements. And that the annual crop map requirement, Item 5, has not been previously strictly enforced. These requirements are, however, directives by the State Water Resources Control Board to ensure that all riparians receive their respective share of riparian flows.

I anticipate that many of you will have questions. Consequently, I plan on holding another Fresno River Riparian Water User workshop in the fall of this year. In the meantime, I urge you to move ahead with data collection and documentation of Items 1, 2 and 3, and to submit Item 4 to the State Water Resources Control Board by June 30, 2010.

Sincerely,



Lance W. Johnson, P.E.
General Manager
Madera Irrigation District

cc: Board of Directors
Brett Gray, Chief of Operations & Maintenance
Dick Tzou, Chief of Engineering and Planning
Mike Campos, Stoel Rivas Law Office
Michael Jackson, U S Bureau of Reclamation
Richard Satkowski, State Water Resources Control Board